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17 UNITED STATES DISTRICT COURT

18 NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION

19 WAYMO LLC,

20 CASE NO. 3:17-cv-00939-WHA

21 Plaintiff,

22 **PLAINTIFF WAYMO LLC'S
ADMINISTRATIVE MOTION TO FILE
UNDER SEAL ITS OPPOSITION TO
UBER'S MOTION TO COMPEL**

23 vs.

24 UBER TECHNOLOGIES, INC.;
25 OTTOMOTTO LLC; OTTO TRUCKING
26 LLC,

27 Defendants.

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1 Pursuant to Civil L.R. 7-11 and 79-5, Plaintiff Waymo LLC (“Waymo”) respectfully requests
 2 to file under seal information in its July 28, 2017 Opposition to Uber’s Motion to Compel (“Waymo’s
 3 Opposition”). Specifically, Waymo requests an order granting leave to file under seal the portions of
 4 the documents as listed below:

5 Document	6 Portions to Be Filed Under Seal	7 Designating Party
8 Portions of Waymo’s July 28, 2017 9 Opposition to Uber’s Motion to 10 Compel	9 Portions highlighted 10 in green	11 Waymo
10 Portions of Exhibit 2 to Waymo’s 11 July 28, 2017 Opposition to Uber’s Motion to Compel	11 Portions highlighted 12 in red	13 Waymo
11 Portions of Exhibit 3 to Waymo’s 12 July 28, 2017 Opposition to Uber’s Motion to Compel	12 Portions highlighted 13 in green	14 Waymo

12 **I. LEGAL STANDARD**

13 Civil Local Rule 79-5 requires that a party seeking sealing “establish[] that the document, or
 14 portions thereof, are privileged, protectable as a trade secret or otherwise entitled to protection under
 15 the law” (*i.e.*, is “sealable”). Civil L.R. 79-5(b). The sealing request must also “be narrowly tailored
 16 to seek sealing only of sealable material.” *Id.*

17 **II. THE COURT SHOULD SEAL WAYMO’S CONFIDENTIAL INFORMATION**

18 The Court should seal the information identified by Waymo in the table above. Waymo seeks
 19 to file this information under seal because it discloses Waymo’s confidential business information,
 20 including descriptions of internal Waymo documents discussing Waymo’s market and competitive
 21 analyses, plans, forecasts, and financial information. *See Cooper Dec. ¶ 3.* Confidential business
 22 information that, if released, may “harm a litigant’s competitive standing” merits sealing. *See Nixon*
 23 *v. Warner Commc’ns, Inc.*, 435 U.S. 589, 598-99 (1978). Waymo seeks to seal confidential business
 24 information squarely within this category. Cooper Dec. ¶ 3. Waymo has narrowly tailored its
 25 requests to only information meriting sealing. *Id.* Thus, the Court should grant Waymo’s
 26 administrative motion to seal.

1 **III. CONCLUSION**

2 In compliance with Civil Local Rule 79-5(d), redacted and unredacted versions of the
3 above listed documents accompany this Administrative Motion. For the foregoing reasons,
4 Waymo respectfully requests that the Court grant Waymo's Administrative Motion.

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6 DATED: July 28, 2017

QUINN EMANUEL URQUHART & SULLIVAN,
7 LLP

8 By /s/ Charles Verhoeven
9 Charles Verhoeven
Attorneys for WAYMO LLC

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